

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 1:10CR042-P-D

CARLOS CASTRO,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant Castro's July 1, 2010 Motion for Continuance [34]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for July 19, 2010. Defense counsel requests a continuance to afford more time to discuss the case and prepare for trial.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from July 19, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant Castro's July 1, 2010 Motion for Continuance [34] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, September 13, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from July 19, 2010 to September 13, 2010 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is August 23, 2010; and

(5) The deadline for submitting a plea agreement is August 30, 2010.

SO ORDERED this the 1st day of July, A.D., 2010.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE